

ORDINANCE NO.

AN ORDINANCE AMENDING SECTIONS 25-1-131, 25-1-132, AND 25-1-133 OF THE CITY CODE RELATING TO INTERESTED PARTIES AND NOTICE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. Section 25-1-131(A) (*Interested Parties*) of the City Code is amended to read:

§ 25-1-131 INTERESTED PARTIES.

(A) An interested party is a person who has an interest in a matter that is the subject of a public hearing or administrative decision. A person has an interest if the person:

(1) is the applicant or the record owner of property that is the subject of a public hearing or administrative decision; or

(2) communicates an interest in a matter; and

(a) occupies a primary residence that is within 500 feet of the site of the proposed development;

(b) is the record owner of property within 500 feet of the site of the proposed development; [or]

(c) is an officer of an environmental or neighborhood organization that has an interest in the site of the proposed development or whose declared boundaries are within 500 feet of the site of the proposed development; or

(d) has a utility service address located within 500 feet of the site of the proposed development, as shown in the City utility records on the date of the filing of the application.

PART 2. Section 25-1-132 (*Notice Of Public Hearing*) of the City Code is amended to amend Subsections (A) and (B) to read:

(A) For a notice required to be given under this subsection, the responsible director shall give notice of a public hearing before a board or commission by mailing notice not later than the 11th day before the date of the hearing to the:

(1) applicant;

- (2) notice owner of property located within 500 [300] feet of the subject property;
- (3) registered environmental or neighborhood organization whose declared boundaries are within 500 feet of the site of the proposed development;
[and]
- (4) parties to an appeal; and
- (5) utility service addresses located within 500 feet of the site of the proposed development, as shown in the City utility records on the date of the filing of the application.

(B) For a notice required to be given under this subsection, the responsible director shall give notice of a public hearing before the council by:

- (1) publishing notice not later than the 16th day before the date of the public hearing; and
- (2) mailing notice not later than the 16th day before the date of the hearing to the:
 - (a) applicant;
 - (b) notice owner of property located within 500 [300] feet of the subject property;
 - (c) registered environmental or neighborhood organization whose declared boundaries are within 500 feet of the site of the proposed development; [and]
 - (d) parties to an appeal; and
 - (e) utility service addresses located within 500 feet of the site of the proposed development, as shown in the City utility records on the date of the filing of the application.

PART 3. Section 25-1-133(A) (*Notice Of Applications And Administrative Decisions*) of the City Code is amended to read:

(A) For notice required to be given under this subsection, the responsible director shall mail notice not later than the 14th day after the filing of an application to the:

- (1) applicant;

- 1 (2) notice owner of real property located within 500 [300] feet of the subject
2 property; [and]
- 3 (3) registered environmental or neighborhood organization whose declared
4 boundaries are within 500 feet of the site of the proposed development;
5 and
- 6 (4) utility service addresses located within 500 feet of the site of the
7 proposed development, as shown in the City utility records on the date
8 of the filing of the application.

9 **PART 4.** This ordinance takes effect on _____, 2008.

10 **PASSED AND APPROVED**

11
12 §
13 §
14 _____, 2008 § _____
15 Will Wynn
16 Mayor
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19 **APPROVED:** _____
20 David Allan Smith
21 City Attorney
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ATTEST: _____
Shirley A. Gentry
City Clerk